

Amendment
Application No. 10/532,827
Attorney Docket No. 052478

REMARKS

Claims 1-8 are pending in the present application. Claim 1 is herein amended.

Claim Rejections - 35 U.S.C. § 102

Claims 1 and 3-8 were rejected under 35 U.S.C. § 102(b) as being anticipated by Hase (WO 01/32418 with U.S. 7,101,455 used as a translation). Favorable reconsideration is requested.

The present invention as recited in amended claim 1, includes “controlling the temperature in a width direction of the laminate in a cooling process after the lamination so that the temperature of the ends of the laminate is same as or higher than that of the center portion.” At least the following two points must be recognized to achieve the present invention: (1) even if a laminate is cooled in the atmosphere with no temperature distribution in a cooling process, the ends are cooled down more rapidly than that of the center portion, which causes a temperature difference in the laminate; and (2) this temperature difference in the laminate results with the “end waviness” phenomenon in the laminate. (See Specification, page 3, line 22 to page 4, line 13.)

Applicants respectfully submit that Hase does not disclose

controlling the temperature in a width direction of the laminate in a cooling process after the lamination so that the temperature of the ends of the laminate is the same as or higher than that of the center portion

as recited in amended claim 1.

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Hase discloses a uniformly heated laminate, by a uniformly heated roll, during lamination. However, Hase does not disclose controlling the temperature in a width direction of the laminate in a cooling process after the lamination so that the temperature of the ends of the laminate is the same as or higher than that of the center portion. Therefore, Hase does not disclose the elements as recited in claim 1.

Claim Rejections - 35 U.S.C. § 103

Claims 1-8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over **Hase** in view of **Iizuka** (JP 2002172639) and **Okochi** (JP 040380348). Favorable reconsideration is requested.

Applicants respectfully submit that Hase in view of Iizuka and Okochi does not disclose

controlling the temperature in a width direction of the laminate in a cooling process after the lamination so that the temperature of the ends of the laminate is the same as or higher than that of the center portion

as recited in amended claim 1.

The Office Action acknowledges that Hase is silent about the temperature of the ends of the laminate, *i.e.*, “the temperature of the ends of the laminate is the same as or higher than that of the center portion in the cooling process after lamination” as recited in claim 1. The Office Action notes that Hase discloses cooling by contacting the laminate with a substrate of lower temperature. The Examiner cites Iizuka and Okochi for disclosing the features which are not disclosed in Hase.

Hase does not teach or suggest the problem of end waviness. As stated in the Office Action, Hase discloses that cooling may be performed by contacting the laminate with a substrate of lower temperature. However, Hase does not teach or suggest controlling the temperature in a width direction so that the temperature of the ends of the laminate is the same as or higher than that of the center portion. As stated at col. 4 of Hase, it is an object of Hase “to provide a method and a device for producing a heat resistant-flexible laminate which is capable of being uniformly heated and pressurized at the time of thermal-press forming.” To a person of ordinary skill in the art, a uniformly heated laminate is also cooled down uniformly in the course of natural cooling.

Iizuka does not disclose controlling the temperature of a laminate after the lamination. Because the lamination disclosed in Iizuka consists of heating, pressurizing and cooling plural laminates, the cooling process disclosed in Iizuka is performed in the lamination process, not after the lamination. Additionally, Iizuka is silent about the significance of the temperature after the lamination. Thus, Iizuka does not disclose controlling the temperature in a width direction of the laminate in a cooling process after the lamination so that the temperature of the ends of the laminate is the same as or higher than that of the center portion.

In Okochi the preferable cooling measure is that the temperature at the center of the steel sheet is at most 60°C lower than the both ends and at most 30°C higher than the both ends. This means that Okochi discloses that the temperature at the ends should be -30°C to about +60°C higher than the center. Such a temperature range extended across 0° C does not provide any direction for the present invention. Thus, Okochi does not disclose controlling the temperature in

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a width direction of the laminate in a cooling process after the lamination so that the temperature of the ends of the laminate is the same as or higher than that of the center portion

Therefore, Hase in view of Iizuka and Okochi does not disclose the elements as recited in amended claim 1.

Applicants respectfully submit that one of ordinary skill in the art would not have been motivated to combine either Iizuka or Okochi with Hase. Since Hase discloses a uniformly heated laminate, one of ordinary skill in the art would understand that the uniformly heated laminate would be cooled down uniformly in the course of natural cooling, thus teaching away from cooling processes disclosed in Iizuka and Okochi. Therefore, one of ordinary skill in the art would not have been motivated to combine either Iizuka or Okochi with Hase.

Applicants respectfully submit that Okochi is not in an analogous art as in the present invention. Okochi is concerned with forming steel plates. The present invention relates to a method for producing a laminate for use in the production of electronic and electric equipment. Since Okochi is not in the same field of endeavor as the present invention and is not reasonably pertinent to the problem with which the present invention is concerned, Okochi is not in an analogous art. *See* MPEP 2141.01(a). Therefore, reliance on Okochi for the obviousness rejection is improper.

Double Patenting Rejection

Claims 1, 2 and 5-8 were rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-4 of **Hase** (U.S. 7,101,455) in view of **Iizuka** and

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Okochi; and claims 3 and 4 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-4 of **Hase** (U.S. 7,101,455), **Iizuka** and **Okochi**, and further in view of **Tokabayashi** (JP 04033848). Favorable reconsideration is requested.

The Office Action acknowledges that claims 1-4 of Hase (U.S. 7,101,455) do not encompass the teaching that the temperature of the ends of the laminate is the same as or higher than that of the center portion in the cooling process. The Office Action states that this feature is obvious in view of Iizuki and Okochi.

Applicants respectfully submit that this feature is not obvious in view of Iizuki and Okochi for the same reasons stated above regarding the § 103 rejection based on Hase in view of Iizuki and Okochi.

Prior Art Disqualification - 35 U.S.C. § 103(c)

The present application and U.S. Patent 7,101,455 were, at the time the invention of the present application was made, owned by Kaneka Corporation. Thus, U.S. Patent 7,101,455 is disqualified from being used in a rejection under 35 U.S.C. § 103(a) against the claims of the present application.

For at least the foregoing reasons claim 1 is patentable over the cited references, and claims 2-8 are patentable by virtue of their dependence from claim 1.

Accordingly, withdrawal of the rejection of claims 1-8 is hereby solicited.

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In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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